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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 David J. Jasso,

10 Plaintiff,

11 v.

12 Liberty Mutual Fire Insurance Company, *et*
13 *al.*,

14 Defendants.

No. CV-25-01008-PHX-JJT

ORDER

15 At issue is the Notice of Removal (Doc. 1), which contains two defects. First, the
16 proof of service attached to the Notice (Doc. 1-1 at 15) pertains to a different case. Second,
17 Defendant states that its deadline to answer the complaint is April 26, 2025 (Doc. 1 at 3),
18 which is incorrect. While A.R.S. § 20-222—which allows a defendant 40 days from the
19 date of service on the Arizona Department of Insurance and Financial Institutions in which
20 to answer a complaint—applies in state court, the federal procedural rules apply upon
21 removal to federal court. Federal Rule of Civil Procedure 81(c)(3) provides that a defendant
22 must answer a complaint within 21 days of receiving or being served the complaint or
23 within 7 days of filing the notice of removal, whichever is longer. Here, Defendant
24 represents it was served on March 17, 2025 (Doc. 1 at 3), and Defendant removed this case
25 on March 26, 2025 (Doc. 1). The answer deadline is thus the longer of April 6 or April 2.
26 Accordingly, Defendant’s answer to the complaint is due on April 6, 2025, and the Court
27 will give Defendant until the following Monday, April 7, 2025, to file its answer.

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